

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL SCHLEINING,

Defendant.

CR 09-61-BLG-RFC

FINDINGS AND
RECOMMENDATIONS
CONCERNING PLEA

Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered a plea of guilty to the charges against him contained in the Information. Defendant also admitted to and agreed to the forfeiture allegation contained in the Information.

After examining Defendant under oath, the Court determined that the guilty plea was knowingly, intelligently, and voluntarily entered; that Defendant fully understands his constitutional rights and the extent to which such rights are waived; and that the offense charged and to which a guilty plea was entered contained each of the essential elements of the offenses.

The Court further concludes that Defendant had adequate time to review the Plea Agreement with counsel, that he fully understands each and every provision of the agreement, and that all of the statements in the Plea Agreement are true. I recommend that Defendant be adjudged guilty and that sentence be imposed. A presentence report has been ordered.

Objections to these Findings and Recommendation are waived unless filed and served within ten (10) days. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).

DATED this 27th day of May, 2009.

/s/ Carolyn S. Ostby
CAROLYN S. OSTBY
United States Magistrate Judge